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CARLSON, GASKEY & OLDS, P.C.
400 WEST MAPLE ROAD
SUITE 350
BIRMINGHAM, MI 48009

EXAMINER

WALSH, JOHN B

ART UNIT

PAPER NUMBER

3676

DATE MAILED: 05/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/674,870

Applicant(s)

GURBINDER SINGH KALSI

Examiner

John B. Walsh

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 29-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8,9,33,34 and 39 is/are allowed.
- 6) ☒ Claim(s) 1-3,6,7,11,14,15,18-24,35-38 and 40-42 is/are rejected.
- 7) ☒ Claim(s) 4,5,10,12,13,16,17 and 29-32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-3, 6, 7, 11, 14, 15, 18-24, 35, 37, 38 and 41-42 are rejected under 35

U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,062,613 to Jung et al.

Jung et al. '613 disclose a housing (1); a pawl (2) mounted in the housing to release a latch (3); at least one of an inside and outside lock link (18) mounted so as to be movable between a first position (column 3, lines 66-67) at which operation of an associated release member (8,9) causes movement of the pawl to release the latch, and a second position (column 3, line 67-column 4, line 2) at which operation of the associated release means does not cause movement of the pawl; wherein the at least one lock link is mounted such that movement of the pawl is necessarily accompanied by movement of the link (link mounted to pawl at 20 such that any movement of the pawl will move the link).

As concerns claim 2, the pawl is rotatably mounted in the housing (figure 1).

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As concerns claim 3, a pawl lifter (figure 1; lower left element of 2 without ratchet teeth) is connected to the pawl and the at least one lock link is mounted on the pawl lifter (figure 1).

As concerns claims 6 and 37, indexing of a cam (11) effects movement of the at least one lock link between the first and second positions (column 4, lines 27-54).

As concerns claims 7 and 38, the cam is rotationally mounted for indexing (figures 1 and 2).

As concerns claims 11 and 41, the cam has a plurality of lobes (zv,ks,ns,obw).

As concerns claims 14 and 15, movement of the at least one lock link between the first and second position is effected by a power actuator (handles, which are actuated by power which may come from a person actuating the handle with their hand).

As concerns claim 18, the latch mechanism having a set of operating modes, each mode having alternate states, the set including at least one of a lock mode and a super lock mode (column 4, lines 41-46), and at least one of a child safety mode and a release mode (column 4, lines 47-54), changing of the latch mechanism between alternate states of each of the at least two modes of the set being effected by a single power actuator (22).

As concerns claim 19, the set includes the lock mode and the super lock mode (column 4, lines 28 and 41-46) and at least one of the child safety mode and release mode (column 4, lines 47-54).

As concerns claim 20, the set includes at least one of the lock mode (column 4, line 28) and the super lock mode (column 4, lines 41-46) and both of the child safety mode (column 4, lines 47-54) and release mode (column 4, lines 37-40).

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As concerns claim 21, the latch mechanism having a set of operating modes, each mode having alternate states, the set including a child safety mode (column 4, lines 47-54) and a release mode (column 4, lines 37-40), changing of the latch mechanism between alternate states of each of the modes being effected by a single power actuator (22).

As concerns claim 22, a latch mechanism (figure 1) having a set of operating modes, each mode having alternate states, the set including at least one of a lock mode and a super lock mode (column 4, lines 41-46), and at least one of a child safety mode and a release mode (column 4, lines 37-40), changing of the latch mechanism between alternate states of each of the at least two modes of the set being effected by a single power actuator (22); wherein a cam having a single plane profile (the profile of the cam, as viewed from the side, is in a single plane) is driven by the actuator to select the states (actuator 22 moves the cam into the different states).

As concerns claim 23, the set includes the lock mode (column 4, line 28) and the super lock mode (column 4, lines 41-46) and at least one of the child safety mode and release mode (column 4, lines 37-40).

As concerns claim 24, the set includes at least one of the lock mode and the super lock mode (column 4, lines 41-46) and both of the child safety mode (column 4, line 47-54) and release mode (column 4, lines 37-40).

As concerns claims 35 and 42, a release member (column 5, line 50; actuating button) capable of indexing the cam (release member signals motor to index cam) to move the at least one of an inside and outside lock link (18) between a first and second alternate states (column 3, lines 66-67; column 3, line 67-column 4, line 2).

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3. Claims 22-24, 35-38 and 40-42 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,676,003 to Ursel et al.

As concerns claim 22, Ursel et al. '003 discloses a latch mechanism (10) having a set of operating modes, each mode having alternate states, the set including at least one of a lock mode and a super lock mode (column 4, lines 4-5), and at least one of a child safety mode and a release mode (column 4, lines 7-10), changing of the latch mechanism between alternate states of each of the at least two modes of the set being effected by a single power actuator (50); wherein a cam having a single plane profile is driven by the actuator to select the states (figure 4, shows cam of single plane profile; column 4, lines 10-15).

As concerns claim 23, the set includes the lock mode (column 2, lines 53-54) and the super lock mode (column 4, lines 4-5) and at least one of the child safety mode and release mode (column 4, lines 7-10).

As concerns claim 24, the set includes at least one of the lock mode and the super lock mode (column 4, lines 4-5) and both of the child safety mode (column 5, line 14) and release mode (column 4, lines 7-10).

As concerns claim 35, at least one of an inside and outside lock link (33,32) movable by the cam (column 3, line 28) between a first and second alternate states (column 4, lines 45-47).

As concerns claim 36, the at least one lock link is pivotally mounted for rotational movement between the first and second positions (figure 7 and 9) about a second axis (pin for 33,32).

As concerns claim 37, indexing of a cam (44) effects movement of the at least one lock link between the first and second positions (column 3, line 28).

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As concerns claim 38, the cam is rotationally mounted for indexing (figures 5 and 6).

As concerns claim 40, indexing of the cam effects movement of both the inside and outside lock link between the first and second positions (column 3, line 28; column 5, lines 25-26).

As concerns claim 41, the cam has a plurality of lobes (47,48).

As concerns claim 42, a release member is capable of indexing the cam to move at least one of the lock links between the first and second positions (column 5, lines 29-40).

Allowable Subject Matter

4. Claims 8, 9, 33, 34 and 39 are allowed.
5. Claims 4, 5, 10, 12, 13, 16, 17 and 29-32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments filed March 5, 2003 have been fully considered but they are not persuasive.

Applicant argues that Jung et al. does not disclose "a second position at which operation of the associated release member does not cause movement of the pawl". Jung discloses a theft-proof position where 24 and 25 are not engaged, wherein operation of the release member (8,9) does not cause movement of the pawl.

As concerns applicant's arguments to claim 5, these arguments are deemed moot since claim 5 had been indicated as allowable.

Applicant argues that Jung et al. does not disclose a cam having a single plane profile. Viewing the cam of Jung et al. from the side (figure 3) the cam occupies a single plane defined by the far left and far right of the cam.

As concerns applicant's arguments to claim 42, Jung et al. discloses a release member (column 5, line 50; actuating button).

Applicant argues that Ursel et al. does not disclose a cam having a single plane profile. Viewing the cam of Ursel et al. from the side (figure 4) the cam occupies a single plane defined by the far left and far right of the cam.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 703-305-0444. The examiner can normally be reached on Monday-Friday from 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-872-9325.


Anthony Knight
Supervisory Patent Examiner
Technology Center 3670

JW
May 17, 2003